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ABROAD AT HOME

Reagan vs. Madison

By Anthony Lewis

BOSTON, March 16 — Henry Kissinger plans to discuss the Vietnam War in a class at Georgetown University. Before he does, he has to show his lecture notes to officials at the State Department, the Defense Department, the Central Intelligence Agency and the White House, and delete any thoughts they decide are secret.

Or, 10 years from now, Edward Rowny writes a book criticizing the arms control agreement signed by President Reagan in 1983 over General Rowny's objections. Before he even shows the manuscript to a publisher, he has to get it cleared by half a dozen agencies — and the process takes two years.

Scenarios of that kind will be the result of an executive order just issued by President Reagan. It is, I think, the most dangerous executive order in many years: dangerous to the American system of democratic control over public policy. It is also, so far, dangerously misunderstood.

When the White House issued the order — on Friday afternoon, to minimize public notice — some of the press focused on a colorful but relatively unimportant provision. It tells Government employees that they must agree to take lie-detector tests when leaks are being investigated, or face "adverse consequences."

The main point of the Reagan order is far more sweeping: more revolutionary. It extends to hundreds of thousands of men and women throughout government a system of prior censorship used until now only by the C.I.A. and other super-secret intelligence services.

Anyone who has seen sensitive information will be covered by the censorship system even after he leaves government service — for the rest of his life. He will have to get official approval before writing or saying anything about subjects he dealt with in government — subjects as broad as arms control or El Salvador.

Lawyers at the Justice Department, which shaped the order, said it would apply not only to memoirs of former officials but to speeches, book reviews, scholarly papers, and even fiction: novels and short stories. It covers not just Secretary of State Shultz and other Cabinet members but diplomats, soldiers and civil servants of all kinds.

The censorship system is not narrowly limited, as some people mistakenly believe, to making former officials submit classified material for clearance before they use it. They have to submit everything, however

innocuous, and let Government censors decide what can be said or published. And experience has shown that the censors spend most of their time trying to suppress embarrassing facts, not true secrets.

When Victor Marchetti and John Marks wrote "The C.I.A. and the Cult of Intelligence," the agency tried to keep out the fact that Richard Helms, then Director, had mispronounced the name of the Republic of Malagasy. Last summer, after years of litigation, it agreed to let them print this blanked-out sentence: "The Agency's closest ally is British intelligence."

An agency veteran, Ralph W. McGehan, has just published "Deadly Deceits: My 25 Years in the C.I.A." In an appendix to the book he describes the draining, tortuous negotiations he had to go through in order to get his manuscript cleared. They lasted two years.

Officials demanded that Mr. McGehan delete from his manuscript critical passages that he was sure included no classified material. When he showed them that the facts had already appeared in books generally supporting the agency — by such former officials as Allen Dulles and William Colby — they withdrew. Then others would renew the objection.

The sheer bureaucratic impact of the Reagan order staggers the imagination. The C.I.A., with a centralized system, ties people up for months and years over manuscripts. How will it work when a former official needs clearances from several agencies before he can consult with a business or write a newspaper article?

The point is that this country has relied heavily on those who have been inside the Government to inform us on how the decision-making process works. They are going to be discouraged now from trying. So the Reagan order may fundamentally affect the quality of information available for public discussion of government policy.

In a way the order is not surprising. Mr. Reagan's Attorney General, William French Smith, has worked zealously to suppress information about Government from the moment he took office.

But the audacity of it is still breathtaking. Here is an Administration that tried the courts for making law without waiting for Congress to act. Yet it now tries to transform what has been a premise of the American system since James Madison: that informed public discussion is essential to wise policy. And it does so without asking Congress, without giving any reason.